

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 2/28/2012	(3) CONTACT/PHONE Brian Pedrotti, Planner III / 805-788-2788	
(4) SUBJECT Submittal of a resolution to approve a request by Dana Adobe Nipomo Amigos 1) to waive permit processing fees for a Land Use Ordinance Amendment to change the South County (Inland) Area planning area standards; and 2) to waive permit processing fees for a Conditional Use Permit for a new museum and visitor's center, and 3) to waive permit processing fees for a pre-application meeting.			
(5) RECOMMENDED ACTION Adopt the resolution approving the fee waiver by Dana Adobe Nipomo Amigos, a non-profit organization, to waive the application fee for LRP2011-00001 (Land Use Ordinance Amendment), DRC2011-00042 (Conditional Use Permit), and PRE2010-00049 (Pre-Application Meeting) for a new museum and visitor's center..			
(6) FUNDING SOURCE(S) General Fund if fee waived	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation (Time Est. _____) <input checked="" type="checkbox"/> Hearing (Time Est. _30 min_) <input type="checkbox"/> Board Business			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(18) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(19) SUPERVISOR DISTRICT(S) District 4 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III

VIA: Ellen Carroll, Environmental Coordinator, Current and Environmental Planning

DATE: 2/28/2012

SUBJECT: Submittal of a resolution to approve a request by Dana Adobe Nipomo Amigos 1) to waive permit processing fees for a Land Use Ordinance Amendment to change the South County (Inland) Area planning area standards; and 2) to waive permit processing fees for a Conditional Use Permit for a new museum and visitor's center, and 3) to waive permit processing fees for a pre-application meeting.

RECOMMENDATION

Adopt the resolution approving the fee waiver request by Dana Adobe Nipomo Amigos, a non-profit organization, to waive the application fee for LRP2011-00001 (Land Use Ordinance Amendment), DRC2011-00042 (Conditional Use Permit), and PRE2010-00049 (Pre-Application Meeting) for a new museum and visitor's center.

DISCUSSION

Request

Dana Adobe Nipomo Amigos (DANA), a California Non-Profit Corporation, is applying for a waiver of processing fees for a Land Use Ordinance Amendment (GPA), Conditional Use Permit (CUP), and Pre-Application Meeting to allow construction of a new museum and visitor center. The project is located on the east side of South Oakglen Avenue in the community of Nipomo, in the South County (Inland) planning area. The total site area is 130 acres in size and is in the Recreation and Agriculture land use categories.

The GPA fees total \$10,631.00. The CUP fees total approximately \$10,478.00. The pre-application fees total \$1,500.00. The Director of Planning and Building has the authority to waive up to \$5,000 in land use permit and building permit fees. The Board of Supervisors has the authority to waive land use and building permit fees exceeding \$5,000.

Non-Profit

Dana Adobe Nipomo Amigos (DANA) is a non-profit organization dedicated to restoring the historic Dana Adobe home, purchasing the acreage surrounding the Dana Adobe, initiating historical and environmental education programs, and to building a new museum and visitor's center to house the collection of historical objects under DANA's care.

In order for the proposed museum and visitor's center to be developed, the following actions/permits would be required 1) an amendment to the South County (Inland) Area Plan of the Land Use Element to change sections of the Planning Area Standards including Sections 22.112.020.F (Nipomo Area Water Conservation Area), 22.112.030.B (Historic Area, Dana Adobe, and 22.112.80.G (Recreation – Dana Adobe). and 2) a Conditional Use Permit to develop the museum/visitor's center. The facility itself is proposed on 30-acre property owned by DANA, with trails and interpretive displays on the 130-acre property owned by San Luis Obispo County and leased by DANA.

Justification and History

The proposed Master Plan for the expansion of the historic Dana Adobe has been anticipated at the site for a number of years. The project site has been identified as a Historic (H) Combining Designation in the County Land Use Ordinance since 1997 and has since that time included an acknowledgement that the site will be expanded in accordance with a Master Plan.

DANA is asking for the fee waivers based upon providing a public benefit to the county. They state that the proposed project would protect scenic and natural resources, provide education about local resources and indigenous people in the form of exhibits and interpretive displays in at least two languages, continue to provide education regarding the historic Dana Adobe, and furnish trails and site interpretation open to the general public on a daily basis. DANA states that the public benefit associated with the project accrue to the community of Nipomo, San Luis Obispo County, and the County's tourist population.

The applicant states that the project will attract local residents, tourists from other counties, and perhaps tourists from other states. Visitors may spend money at the Dana Adobe as well as within San Luis Obispo County. The project will be developed and maintained at no expense to the County, with the help of donations from local businesses and individuals. In addition, the center will be available to the public at large with no access fee, and will create outdoor educational opportunities for all residents in the community.

Staff acknowledges that the use has a public benefit. The proposed museum and visitor's center is intended to be open to the general public for educational and cultural opportunities. This would be a unique park, and the only one of its kind in both San Luis Obispo and many surrounding counties. The Director of Planning and Building can waive fees up to \$5,000 pursuant to footnote 7 of the Planning and Building Department fee schedule. All permit processing fees in excess of \$5,000 can only be waived by the Board of Supervisors.

OTHER AGENCY INVOLVEMENT/IMPACT

General Services, Public Works, County Sheriff and Cal Fire will review of the General Plan Amendment and Conditional Use Permit and waiver of these Department's fees are included in this request.

FINANCIAL CONSIDERATIONS

The land use permit fees, including the General Plan Amendment, Conditional Use Permit, and pre-application fee, total \$22,609.

RESULTS

Approving the waiver of land use permit fees would result in processing of a General Plan Amendment and Conditional Use Permit for a new museum and visitor's center that would have a public benefit. Denying the waiver of permit processing fees would result in the applicant providing the necessary funds to process these permits.

ATTACHMENTS

1. Exhibit A - Vicinity map
2. Exhibit B - Land Use Category Map
3. Exhibit C – Resolution with findings